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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

KYLE JASON KENNEDY, an individual,  
  
Plaintiff,

vs.

BANK OF AMERICA, N.A.; THE  
SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT; BAYVIEW LOAN  
SERVICING, LLC; and DOES I through X,  
inclusive,

Defendants.

Case No. 3:22-cv-00043-MMD-CLB

**STIPULATION AND ORDER OF  
DISCLAIMER OF INTEREST AND  
DISMISSAL OF BANK OF AMERICA,  
N.A.**

Defendant Bank of America, N.A. (**BANA**) and Plaintiff Kyle Jason Kennedy, by and through their counsel of record, stipulate as follows:

1. On or about May 10, 2013, BANA obtained an interest in real property situated in Washoe County, Nevada through an assignment of deed of trust recorded in the official records of Washoe County as document number 4236245. This property is commonly referred to as 7088 Sacred Circle, Sparks, Nevada 89436, APN 526-582-32, and legally described as follows:

**ALL THAT CERTAIN REAL PROPERTY SITUATED WITHIN A PORTION OF SECTION SEVEN (7) TOWNSHIP TWENTY (20) NORTH, RANGE TWENTY-ONE (21) EAST, MOUNT DIABLO MERIDIAN, CITY OF SPARKS, STATE OF NEVADA, BEING A PORTION OF LOT 108 OF SUBDIVISION TRACT MAP NO. 4652 RECORDED MAY 25, 2006, AS FILE NO 3392363. IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 108.  
 THENCE ALONG THE NORTHERLY LINE OF SAID LOT 108 THE  
 FOLLOWING THREE (3) COURSES:  
 1. NORTH 89 DEGREES 25 MINUTES 30 SECONDS EAST, 21.00 FEET;  
 2. SOUTH 07 DEGREES 57 MINUTES 40 SECONDS EAST, 4.20 FEET;  
 3. NORTH 89 DEGREES 25 MINUTES 30 SECONDS EAST, 19.57 FEET;  
 THENCE DEPARTING SAID NORTHERLY LINE, SOUTH 34 DEGREES 11  
 MINUTES 02 SECONDS EAST, 6.41 FEET;  
 THENCE NORTH 89 DEGREES 25 MINUTES 30 EAST, 55.51 FEET TO THE  
 NORTHEAST CORNER OF SAID LOT 108;  
 THENCE ALONG THE EASTERLY LINE OF SAID LOT 108, SOUTH 00  
 DEGREES 34 MINUTES 30 SECONDS EAST, 38.33 FEET TO THE  
 SOUTHEAST CORNER OF SAID LOT 108;  
 THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 108, SOUTH 89  
 DEGREES 25 MINUTES 30 SECONDS WEST, 100.17 FEET TO THE  
 SOUTHWEST CORNER OF SAID LOT 108;  
 THENCE ALONG THE WESTERLY LINE OF SAID LOT 108, NORTH 00  
 DEGREES 34 MINUTES 30 SECONDS WEST, 47.83 FEET TO THE POINT  
 OF BEGINNING.**

2. On or about February 11, 2014, BANA assigned its interest in the property to The Secretary of Housing and Urban Development through assignment of deed of trust recorded in the official records of Washoe County as document number 4367164 on June 27, 2014.

3. On or about December 21, 2021, Plaintiff filed a complaint for quiet title and declaratory relief against BANA and other defendants related to the property.

4. BANA does not believe it holds an interest in the property and expressly disclaims any right, title or interest in or to the subject property.

5. Plaintiff agrees, based upon BANA's disclaimer set forth herein, that BANA should be dismissed from this action, with prejudice; and

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6. Based upon BANA's disclaimer set forth herein, plaintiff and BANA agree to bear their own attorneys' fees and costs.

<b>AKERMAN LLP</b>	<b>THE BALL LAW GROUP</b>
<i>/s/ Melanie D. Morgan</i>	<i>/s/ Zachary T. Ball</i>
MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 SCOTT R. LACHMAN, ESQ. Nevada Bar No. 12016 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134  <i>Attorneys for Bank of America, N.A.</i>	ZACHARY T. BALL, ESQ. Nevada Bar No. 8364 1935 Village Center Circle, Suite 140 Las Vegas, Nevada 89134  <i>Attorney for Kyle Jason Kennedy</i>

**ORDER**

**IT IS SO ORDERED.**



UNITED STATES DISTRICT JUDGE  
Case No.: 3:22-cv-00043-MMD-CLB

DATED: 2/22/2022

akerman